

CHAPTER NO. 833

SENATE BILL NO. 2482

By Ketron, Black, Burks, Kilby, Jackson, Herron, Finney

Substituted for: House Bill No. 2691

By Yokley, Vaughn, Briley, Cooper, Towns, Pleasant, Ulysses Jones, Kernell, Mr. Speaker Naifeh, Cobb, Larry Turner, West, Swafford, Overbey, Litz, Maddox, Hood, Rinks, Odom, Marrero, DuBois, Harrison, Roach, Curtis Johnson, McMillan, Langster, Sontany, Pinion, Hackworth, Borchert, Tidwell, Curtiss, Winningham, Strader, Favors, Baird, Dean, Harmon, Moore, McDaniel, Lois DeBerry, Ferguson, John Deberry, Fraley, Shepard, Fitzhugh, Shaw, Rowe, Montgomery, Harry Brooks, Miller, McKee, Eric Watson, Davidson, Fowlkes, Windle, Russell Johnson, McDonald, Brown, Hawk, Todd, Casada, Maggart, Armstrong, Buck, Sargent, McCormick, Hargett, Phillip Johnson, Eldridge, Coleman, Hensley, Bone, Crider, Campfield, Henri Brooks

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 38, Part 1, relative to victim notification.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, Part 1, is amended by adding the following language as a new section:

§ 40-38-118.

(a) The district attorneys general conference shall establish and administer an automated victim notification system. Such automated victim notification system shall:

(1) Permit a crime victim to register or update the victim's registration for the automated victim notification system by using a toll free telephone number;

(2) Permit a registered crime victim to receive the most recent status report for an offender by calling the automated victim notification system by using a toll free telephone number; and

(3) Automatically notify a registered crime victim when a committed offender:

(A) Is transferred or assigned to another facility;

(B) Is given a different security classification;

(C) Is released on temporary leave or otherwise;

(D) Is discharged; or

(E) Has escaped.

(b) The failure of the automated victim notification system to provide notice to a registered crime victim that an offender has been released, discharged or has escaped does not establish a separate cause of action by the victim against the state or against the conference.

(c) All law enforcement officers shall cooperate with the district attorneys general conference in establishing and maintaining the automated victim notification system.


SECTION 2. For the purpose of establishing and administering the automated victim notification system, the district attorneys general conference shall seek federal funds from the United States Department of Justice which are available for states to create such automated victim notification systems.

SECTION 3. This act shall take effect on the date the state receives funding from federal grants or other, non-state funds sufficient to establish and administer such automated victim notification system, the public welfare requiring it. The executive director of the district attorneys general conference shall certify to the executive secretary of the Tennessee code commission when such funds are received.

SECTION 4. For the purpose of seeking funding from federal or other, non-state sources, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3, the public welfare requiring it.

Passed: May 25, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2006


PHIL BREDESEN, GOVERNOR